

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA,

Plaintiff,

v.

Land and Buildings Located at 8 Turbini Lane,
Berwick, Maine, with all Appurtenances and
Improvements Thereon, Owned by
Caroline G. Vennard and Robert W. Vennard;

and

Five Thousand One Hundred Seventy Eight
(\$5,178.00) Dollars in United States Currency,
More or Less, Seized from Robert Vennard,

Defendants-in-Rem.

CIVIL NO. 05-176-JD

**ORDER SUBSTITUTING \$60,000 IN U.S. CURRENCY AS RES FOR
DEFENDANT IN REM 8 TURBINI LANE, BERWICK, MAINE, DISMISSING
DEFENDANT IN REM 8 TURBINI LANE, BERWICK, MAINE, AND
FINAL ORDER OF FORFEITURE AS TO DEFENDANT IN REM
\$60,000 IN U.S. CURRENCY AND DEFENDANT IN REM FIVE THOUSAND
ONE HUNDRED SEVENTY EIGHT (\$5,178.00) DOLLARS IN U.S. CURRENCY**

1. On May 24, 2005, the United States commenced an action by Verified Complaint for Forfeiture in Rem, seeking the forfeiture of the defendant *in rem* real property 8 Turbini Lane, Berwick, Maine, titled to Caroline G. Vennard and Robert W. Vennard, and the defendant *in rem* \$5,178.00 in U.S. Currency, pursuant to 21 U.S.C. § 881(a)(6) and (a)(7). This Complaint, along with the Notice of Complaint, Writ of Entry, Summons and Warrant of Arrest In Rem, Notice of Lis Pendens, and ECF Notice, were served on all known potential claimants, including Caroline G. Vennard and Robert W. Vennard.

2. Caroline G. Vennard and Robert W. Vennard filed timely claims.

3. The United States and claimants, Caroline G. Vennard and Robert W. Vennard, have reached an agreement which provides for the substitution of \$60,000.00 in United States funds for the *res* of the defendant *in rem*, 8 Turbini Lane, Berwick, Maine, and for the forfeiture of the substitute *res*. The defendant *in rem* 8 Turbini Lane, Berwick, Maine, will be dismissed from this action. In addition, Caroline G. Vennard and Robert W. Vennard agree to the forfeiture of the defendant *in rem* \$5,178.00 in U.S. Currency.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

A. That the sum of \$60,000.00 in U.S. Currency is hereby substituted as the *res* for the defendant *in rem* 8 Turbini Lane, Berwick, Maine;

B. That the defendant *in rem* 8 Turbini Lane, Berwick, Maine, is hereby dismissed from this proceeding;

C. That all rights, title and interests to the substituted defendant *in rem* \$60,000.00 in U.S. Currency is hereby condemned, forfeited and vested in the United States of America pursuant to 21 U.S.C. § 881(a)(7), free from the claims of any other party;

D. That all rights, title and interests to the defendant *in rem* \$5,178.00 in U.S. Currency is hereby condemned, forfeited and vested in the United States of America pursuant to 21 U.S.C. § 881(a)(6), free from the claims of any other party;

E. That the substituted defendant *in rem* \$60,000.00 in U.S. Currency and the defendant *in rem* \$5,178.00 in U.S. Currency shall be disposed of by the United States Marshals Service (USMS) in accordance with the applicable law and regulations. These funds, less costs

to the USMS associated with the defendants *in rem*, shall be deposited into the Department of Justice Asset Forfeiture Fund in accordance with Title 28, United States Code, Section 524(c) and Title 21, United States Code, Section 881(e);

F. That Caroline G. Vennard and Robert W. Vennard shall bear their own costs of this proceeding, including attorney's fees, if any.

The Clerk is hereby directed to send three (3) certified copies of this Order to the United States Attorney's Office, Attention: Assistant U.S. Attorney Robert J. Rabuck.

Dated: January 29, 2007 _____

/s/ Joseph A. DiClerico, Jr. _____

UNITED STATES DISTRICT JUDGE